PTO/SB/30 (09-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request	Application Number	09/781,309					
for	Filing Date	2/13/2001					
Continued Examination (RCE) Transmittal	First Named Inventor	Shinagawa et al. RECEIVED					
Address to:	Art Unit	2624 JUL 1 3 2004					
Commissioner for Patents	Examiner Name	Anh Hong Do					
P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket Number	13599RCE					

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on ii. Other Petition Under 37 CFR 1.313(b)(1)37 CFR 1.313(c)(2) b. Enclosed i. Information Disclosure Statement (IDS) ii. Affidavit(s)/ Declaration(s) iv. Other	1993			000.5	3		7	,,,,	-										-		-		(O) on pag		_			
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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Instruction Sheet for RCEs (not to be submitted to the USPTO)

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NOTES:

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OFFICE OF PETITION

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing

Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

WARNINGS:

Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does <u>not</u> satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.